

Message Text

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42

ACTION L-03

INFO OCT-01 EUR-12 ISO-00 EB-07 SCA-01 IO-11 SSO-00 SP-02

SS-15 NSC-05 NSCE-00 /057 W
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O 211420Z JAN 76

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC IMMEDIATE 6324

UNCLAS BUCHAREST 0379

ATTN ASST LEGAL ADVISER TREATY AFFAIRS

E.O. 11652: N/A

TAGS: AFIN US RO

SUBJECT: US/ROMANIAN TAX CONVENTION

REF: BUCHAREST 0332

1. IN DISCUSSING TEXT OF PROTOCOL OF EXCHANGE OF INSTRUMENTS OF RATIFICATION, GOR HAS PROPOSED TO FOLLOW FORMS USED IN BOTH ENGLISH AND ROMANIAN TEXTS FOR BILATERAL CONSULAR CONVENTION EXCHANGED IN WASHINGTON JUNE 6, 1973, AND TRADE AGREEMENT EXCHANGED AUGUST 3, 1975, WITH FOLLOWING EXCEPTION. GOR WISHES TO ADD A SENTENCE MENTIONING THE SPECIFIC DATE OF ENTRY INTO FORCE, IN THIS CASE THE 26TH FEBRUARY 1976 . GOR OFFICIALS EXPLAINED THAT SOME CONFUSION AROSE REGARDING THE DATE OF ENTRY INTO FORCE FOR THE CONSULAR CONVENTION, WHEN IT WAS REGISTERED WITH THE UNITED NATIONS.

2. PROPOSED TEXT WOULD READ: TITLE: PROTOCOL OF EXCHANGE OF RATIFICATIONS. BEGIN TEXT: THE UNDERSIGNED, (AMBASSADOR BARNES AND DEPUTY MINISTER GLIGA, IN ALTERNATING POSITIONS), DULY AUTHORIZED BY THEIR RESPECTIVE GOVERNMENTS, HAVE MET FOR THE PURPOSE OF EXCHANGING THE INSTRUMENTS BY WHICH IS RATIFIED, IN ACCORDANCE WITH THE LEGAL PROCEDURES IN FORCE IN EACH OF THE TWO STATES, THE CONVENTION WITH RESPECT TO TAXES ON INCOME BETWEEN (TWO PARTIES, IN ALTERNATING POSITIONS), SIGNED AT WASHINGTON ON DECEMBER 4, 1973.

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THE RESPECTIVE INSTRUMENTS HAVING BEEN COMPARED AND FOUND TO BE IN DUE FORM, THE EXCHANGE TOOK PLACE THIS DAY.

THE CONVENTION MENTIONED ABOVE WILL ENTER INTO FORCE IN ACCORDANCE WITH THE PROVISIONS OF THE SECOND SENTENCE OF ARTICLE 27 OF THE CONVENTION, ONE MONTH AFTER THE DATE OF EXCHANGE OF INSTRUMENTS OF RATIFICATION, WHICH WILL BE FEBRUARY 26, 1976.

IN WITNESS WHEREOF, THE RESPECTIVE REPRESENTATIVES HAVE SIGNED THE PRESENT PROTOCOL, IN DUPLICATE, IN THE ENGLISH AND ROMANIAN LANGUAGES.

SIGNED AT BUCHAREST THIS 26TH DAY OF JANUARY, 1976.
FOR THE GOVERNMENT OF ... ETC. END TEXT.

3. WE ALSO NOTE THAT GOR PROPOSES, AS WAS DONE IN THE PROTOCOL FOR THE CONSULAR CONVENTION, TO USE FIRST PERSON PLURAL THROUGHOUT ROMANIAN TEXT, I.E., WE HAVE MET, WE HAVE EXAMINED, WE HAVE SIGNED. EMBASSY NOTES THAT ENGLISH VERSION OF BOTH CONSULAR CONVENTION PROTOCOL AND TRADE AGREEMENT PROTOCOL USE THIRD PERSON PLURAL.

4. ACTION REQUESTED: PLEASE APPROVE SUGGESTED TEXT OR SUPPLY ALTERNATIVE LANGUAGE, BY COB JANUARY 22.
BARNES

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 21 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BUCHAR00379
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760022-1170
From: BUCHAREST
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760138/aaaabhjy.tel
Line Count: 86
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 76 BUCHAREST 332
Review Action: RELEASED, APPROVED
Review Authority: RowellE0
Review Comment: n/a
Review Content Flags:
Review Date: 18 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <18 JUN 2004 by schwenja>; APPROVED <14 JAN 2005 by RowellE0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: US/ROMANIAN TAX CONVENTION
TAGS: AFIN, US, RO
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006